

**United States District Court**  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARKE AND REBECCA WIXON, et al.

Plaintiffs,

No. C 07-02361 JSW

v.

WYNDAM RESORT DEVELOPMENT CO.  
(f/k/a TRENDWEST RESORTS, INC.), et al.

**ORDER VACATING HEARING  
DATE**

Defendants.

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Pursuant to Civil Local Rule 7-1(b), the Court finds that the motion to dismiss which has been noticed for hearing on Friday, October 31, 2008 at 9:00 a.m., is appropriate for decision without oral argument. Accordingly, the hearing date is hereby VACATED. The motion will be taken under submission and decided on the papers.

**IT IS SO ORDERED**

Dated: October 29, 2008

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*Jeffrey S. White*  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE